

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EMC CORPORATION AND EMC ISRAEL
DEVELOPMENT CENTER, LTD.,

Plaintiffs,

v.

ZERTO, INC.,

Defendant.

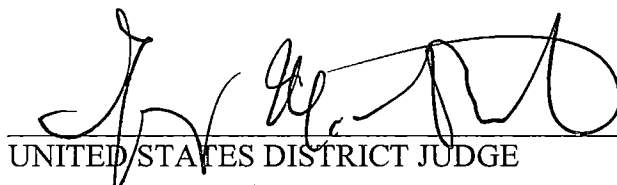
C.A. No. 12-956 (GMS)

ORDER

For the reasons stated in the accompanying memorandum of the same date, IT IS
HEREBY ORDERED that:

1. Zerto's Motion for a Finding that U.S. Patent Nos. 7,577,867, 7,603,395 and 7,791,091 Are Unenforceable Due to Inequitable Conduct (D.I. 240) is DENIED;
2. Zerto's Motion for a New Trial, and to Alter or Amend the Judgment, Due to an Inconsistent Verdict (D.I. 232) is DENIED;
3. Zerto's Renewed Motion for Judgment as a Matter of Law (D.I. 230) is DENIED;
4. EMC's Renewed Motion for Judgment as a Matter of Law (D.I. 219) is GRANTED as to the '091 patent and DENIED as to the '460 and '395 patents;
5. EMC's Motion for Permanent Injunction (D.I. 226) is DENIED; and
6. EMC's Motion to Amend the Judgment (D.I. 223) is GRANTED IN PART and DENIED IN PART.
7. The parties shall engage in mediation regarding an appropriate royalty rate. Counsel is directed to immediately jointly contact the chambers of Magistrate Judge Burke to schedule a mediation conference.

Dated: March 31, 2016


UNITED STATES DISTRICT JUDGE